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4 Attorney for Defendant
5 ROBERT MINEMIER

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7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

CR 07-0348-01-MAG

13 v.

REQUEST FOR WAIVER OF
DEFENDANT'S PERSONAL PRESENCE
AT MISDEMEANOR SENTENCING

14 ROBERT MINEMIER

15 Defendant.
16 _____/

17 TO THE CLERK OF THE ABOVE ENTITLED COURT AND TO ASSISTANT UNITED
STATES ATTORNEY WENDY THOMAS:

18 Defendant Robert Ralph Minemier, through counsel, hereby
19 requests that this Court issue an Order waiving Mr. Minemier's
20 personal appearance at his misdemeanor sentencing on June 10,
21 2008 at 10:30 a.m., and allowing him appear at said sentencing
22 via telephone or video-conference from his home in Charlotte,
23 North Carolina.

24 Dated: June 2, 2008

25
26 Signed:

27 /s/Robert Amparan/s/
Attorney for Defendant
28 Robert Minemier

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11 UNITED STATES OF AMERICA,

CR 07-0348-01-MAG

12 Plaintiff,

13 v.

14 ROBERT MINEMIER,

15 Defendant.
_____ /

DECLARATION OF COUNSEL IN
SUPPORT OF REQUEST FOR WAIVER
OF DEFENDANT'S PERSONAL
PRESENCE AT MISDEMEANOR
SENTENCING

16 TO THE CLERK OF THE ABOVE ENTITLED COURT:

17 I, ROBERT AMPARÁN, declare:

18 I am an attorney licensed to practice in the State of
19 California and before this Court and I am the attorney of record
20 for defendant Robert Minemier in this matter.

21 In the instant matter, on February 27, 2008, Mr. Minemier
22 pled guilty to a misdemeanor violation of 36 U.S.C. §4.23(a)(1),
23 driving under the influence of alcohol. This matter is
24 currently on calendar for Sentencing on June 10, 2008. This
25 declaration is submitted in support of a request that Mr.
26 Minemier's personal appearance be waived at that sentencing, and
27 that he be allowed to participate via telephone or video
28 conference.

1 The reason for this request is that Mr. Minemier has
2 relocated to Charlotte, North Carolina. Mr. Minemier is
3 currently unemployed, and traveling to San Francisco for the
4 sole purpose of appearing at this misdemeanor sentencing would
5 constitute a hardship.

6 I have contacted United States Probation Officer Cheryl
7 Simone, who has informed me that the federal probation office in
8 North Carolina is ready, willing and able to immediately assume
9 supervision of Mr. Minemier's misdemeanor probation. In
10 addition, Ms. Simone informs me that her office has no objection
11 to Mr. Minemier appearing by telephone or videoconference,
12 rather than in person, at his sentencing.

13
14 I declare under penalty of perjury that the foregoing is
15 true and correct, except as to matter herein stated on
16 information and belief, and, as to these matters, I believe them
17 to be true. This declaration is executed on June 2, 2008, at
18 San Francisco, California.

19 Signed:

20 /s/Robert Amparan/s/
21 ROBERT AMPARÁN
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